IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

MONDAY, THE 1ST OCTOBER 2007 / 9TH ASWINA 1929

Tr.P(C).No. 3 of 2007()

OS.266/2006 of MUNI-MAGI.COURT,THODUPUZHA

.....

: PETITIONER

ST.MARY'S JACOBITE SYRIAN CHURCH
MULLARINGADU VANNAPPURAM VILLAGE,
THODUPUZHA TALUK, IDUKKI DISTRICT, REP. BY ITS
TRUSTEE, N.C.VARGHESE, S/O.CHACKO, AGED 42 YEARS,
NOONUTTIL HOUSE, MULLARINGAD, VANNAPPURAM VILLAGE,
THODUPUZHA TALUK, IDUKKI DISTRICT.

BY ADV. SRI.K.J.KURIACHAN

RESPONDENT:

GEORGE POULOSE @ JOY,
S/O.POULOSE, AGED 47 YEARS,
KIZHAKKEKARA HOUSE, MULLARINGADU KARA,
VANNAPPURAM VILLAGE, THODUPUZHA TALUK,
IDUKKI DISTRICT.

BY ADV. SRI.S.SREEKUMAR

THIS TRANSFER PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 01/10/2007 ALONG WITH Tr.P(C) 11/07,ETC., THE COURT ON THE SAME DAY DELIVEED THE FOLLOWING:

M.N.Krishnan, J.

==========

Tr.P(C).Nos.3, 11 & 12 of 2007

==========

Dated this the 1st day of October, 2007.

JUDGMENT

Tr.P.(C) No.3 of 2007 is filed to withdraw O.S.No.266 of 2006 pending before the Munsiff's Court, Thodupuzha and transfer it to the 1st Additional District Court, Ernakulam. Tr.P (C) No.11 of 2007 is filed to withdraw O.S.No.294 of 2006 pending before the Munsiff's Court, Thodupuzha and transfer the same to the 1st Additional District Court, Ernakulam and Tr.P(C) No.12 of 2007 is filed to withdraw I.A.No.223 of 2006 in unnumbered O.S. of 2006 pending before the Munsiff's Court, Thodupuzha and transfer the same to the 1st Additional District Court, Ernakulam. In all these cases, the common averment is to the effect that the dispute involved is Church dispute and the 1st Additional District Court, Ernakulam is the special court constituted for trial and disposal of cases pertaining to Church disputes as per notification of the year 1976.

2. I am informed that even now the said court is functioning as a court exercising the functions of the Church disputes. It is not very clear whether there is extended notification. But at the same time, it can be seen that the said court has been exercising jurisdiction of matters all over the State in deciding Church disputes and has virtually become an expert court on the subject.

3. Therefore much of time can be saved if all these cases are tried by the said court. Therefore, all the Transfer Petitions are allowed and the respective cases, that is, O.S.No.266 of 2006, O.S.No.294 of 2006 and I.A.No.223 of 2006 in unnumbered O.S. of 2006 pending before the Munsiff's Court, Thodupuzha are transferred to the 1st Additional District Court, Ernakulam dealing with the Church cases for trial and disposal.

Transfer Petitions are disposed of as above.

M.N.Krishnan,
Judge.

ess 2/10